

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Water Pollution Control
Sixth Floor – L & C Annex
401 Church Street
Nashville, TN 37243-1534

MS. B. MARIE MOORE
Director Safety & Regulatory
NUCLEAR FUEL SERVICES-INDUSTRIAL PARK
1205 BANNER HILL RD.
ERWIN, TN 37650



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
401 CHURCH STREET
L & C ANNEX 6TH FLOOR
NASHVILLE TN 37243-1534

January 21, 2010

Ms. B. Marie Moore
Director Safety & Regulatory
Nuclear Fuel Services-Industrial Park
1205 Banner Hill Rd.
Erwin, TN 37650

Subject: **Tennessee Multi-Sector General NPDES Storm Water Permit (TMSP)**
Tracking Number TNR053969
Conditional No Exposure Exclusion for Industrial Activity
Nuclear Fuel Services-Industrial Park, Erwin, Unicoi County, Tennessee

Dear Ms. Moore:

The Division of Water Pollution Control acknowledges receipt of a No Exposure Certification Form on January 20, 2010. This form was submitted by you according to Section 122.26(g) of the EPA Storm Water Phase II Rule, which requires industrial operators claiming no exposure to submit written certification that a condition of no exposure exists at their facility/site. A condition of no exposure means that material handling equipment or activities, raw materials, intermediate or final products, waste materials, by-products or industrial machinery are **not** exposed to storm water.

Our review of this facility's the above referenced form indicates that an exclusion from NPDES storm water permitting under the TMSP is acceptable. Please note that you must resubmit a no exposure certification at least once every 5 years. We would like to point out that by submitting the No Exposure Certification Form, you certified under penalty of law that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the industrial facility or site identified in this document (except as allowed under 40 CFR 122.26(g)(2)). If the condition of no exposure ceases, then you must immediately obtain coverage under a storm water NPDES permit by submitting a completed NOI form. Please note that the NPDES permitting authority (or MS4 operator where the discharge is into the local MS4) must be allowed to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request.

If you have questions, please contact the Division of Water Pollution Control at your local Field Office at 1-888-891-TDEC; or, at this office, please contact Mr. Jim McAdoo at (615) 532-0684 or by E-mail at Jim.McAdoo@tn.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Vojin Janjic", is located below the "Sincerely," text.

Vojin Janjic
Manager, Permit Section
Division of Water Pollution Control

No Exposure Certification Form Letter TNR053969.DOC
CC: Division of Water Pollution Control, Johnson City Field Office
Division of Fiscal Services, Fee Collection Section, Vidya Bhupathiraju